

Special Education Advisory Panel Meeting Minutes
Office of Public Instruction
Helena
Nov. 17-18, 2005

Thursday, Nov. 18, 2005:

Members in Attendance: WyAnn Northrop, Dave Mahon, Amy McCord, Cody Sinnott, Bob Peake, Dick Slonaker, Janet Jansen, Diana Colgrove, Barb Rolf, Ron Fuller, Bob Maffit, Coral Beck

Members Excused: Gary Perleberg, Norma Wadsworth

Non-Members in Attendance: OPI Staff: Dick Trerise, Tim Harris, Anne Lowney, Bob Runkel, Marilyn Pearson, Doug Doty, Pat Reichert, Dan McCarthy; John Copenhaver, Director of Mountain Plains Regional Resource Center (MPRRC)

Chairperson WyAnn Northrop called the meeting to order at 8:30 a.m. She requested that the Panel members review the proposed agenda. Janet Jansen moved to accept the proposed agenda, Diana Colgrove seconded the motion and the motion passed. The minutes of the May 12, 2005, meeting were reviewed. Janet Jansen mentioned correcting the two “that’s” in the top row on page 3. WyAnn asked for a motion to approve the minutes with that change. Dick Slonaker made the motion, Bob Peake seconded it, and the motion passed.

Bob Runkel welcomed all to the meeting and gave a brief overview of the “key” decisions that the Panel will be making this year—centering on the State Performance Plan and the new IDEA 2004 Regulations.

OPI Report

IDEA 2004

Bob reported that the Special Education Division has provided comments to OSEP on the proposed IDEA 2004 regulations. He reported that it is anticipated that the “final” rules and regulations will be released anywhere from next month to six months from now.

Student Information System, Data Warehouse and the Special Education Records Information Management System (SERIMS)

The Office of Public Instruction is seeking to create an electronic student information system which includes a data warehouse and special education records and information management system. It is intended to fully integrate special education information and, ultimately, create less paperwork for teachers. The system will have an internal validation and tickler system to help with tracking when things are due (i.e., CST/IEP meetings, record reviews, etc.). It will also help to improve the timeliness of documents and their accuracy, ultimately changing the way the Special Education Division monitors. The RFP for the electronic system was released today (Nov. 17, 2005). The responses are due in six weeks by the applicants. Bob will serve on the evaluation committee. Dennis Clarkson, special education director in Polson, will represent an end user on the evaluation team.

Legislative Audit

The Office of Public Instruction Special Education Division was audited by the Legislative Auditor’s office. The Division is in the process of responding to the audit. There were two parts to the audit—Oversight of Special Education Services Performance (services) and the Use of Special Education Funds (fiscal). In the Services report, the auditor’s chose to focus on the compliance monitoring aspect of the

Division. They made some recommendations for improvement of our compliance monitoring system. Their recommendations centered on providing more direct supervision of the monitoring staff, more direction on how we do the compliance monitoring, and more consistency in our monitoring.

The auditors recommended that the OPI request from the legislature the development of a reserve fund that would be managed centrally—not by individual schools. The hearing on the final report will likely be held adjacent to the Legislative special session for school funding in December.

State Performance Plan Overview

John Copenhaver, of the Mountain Plains Regional Resource Center, gave an overview of the Montana State Performance Plan. He stated that this Advisory Panel meeting will be considered the “public input session” for the State Performance Plan since the Advisory Panel represents a broad group of stakeholders. The State Performance Plan for federal fiscal years 2005-2010 is to be submitted no later than 12/2/2005.

A performance report must be submitted annually to the Office of Special Education Programs (OSEP). The first Annual Performance report (APR) is due 2/1/2007. As a part of this reporting requirement, the state is required to publicly report on the performance of each local educational agency (LEA) relative to targets in the SPP.

The content of the SPP should include an overview of the system or process, baseline data (unless it is a new performance indicator), a discussion of the baseline data, measurable and rigorous targets, and improvement activities/timelines/resources.

The bottom line is that the improvement activities need to be designed to meet the targets, the targets need to be measurable and reflect improvement, the baseline data must be present, clear and measurable, the data must be valid, and the required information is included in the SPP (e.g., what action is taken regarding non-compliance that is not corrected within one year).

There are eight indicators and seven APR probes that deal with FAPE in the LRE, two indicators and two APR probes that deal with Disproportionality, and 10 indicators and six APR probes that deal with Effective General Supervision.

John stated that each of the performance indicators will be presented to the Panel as follows:

- Brief overview of indicator (by John Copenhaver)
- Explanation of each proposed target by staff members of the Special Education Division
- Description of improvement strategies currently being done
- Discussion of each target
- Voting on the passage of each target

Bob Runkel then spoke about how important and vital the involvement of the Panel is in the development of the SPP. He stated that the Panel needs to make sure that targets are set that are rigorous yet reasonable to achieve both for the schools and the state. The Advisory Panel’s responsibilities to the State Performance Plan are:

- To understand the SPP and APR and their connection
- Provide input/suggestions regarding activities and targets
- Discuss and endorse measurable targets
- Use the SPP to drive Panel activities
- Review annual reports on the SPP and have an opportunity for input

Discussion then began on the Indicators.

Indicators Focusing on FAPE in the LRE

Indicator #1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the state graduating with a regular diploma.

Marilyn Pearson gave the explanation of the indicator and described the current improvement strategies in place. Bob Runkel then discussed the proposed measurable and rigorous targets for this indicator.

WyAnn asked for a motion to approve the target for Indicator 1 as written. Dick Slonaker made the motion, Janet Jansen seconded it and the target was voted on and passed unanimously.

Indicator #2: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the state dropping out of high school.

Marilyn Pearson presented the explanation of the indicator and Bob Runkel talked about the proposed measurable and rigorous targets for this indicator.

Following discussion, WyAnn asked for a motion to accept the targets as written. Dick Slonaker made the motion and Dave Mahon seconded it. WyAnn then opened the floor for the Panel to discuss the target prior to taking a vote.

Discussion was held and the vote taken. The targets were passed as written by a unanimous vote.

Indicator #4: Rates of suspension and expulsion

- A. Percent of districts identified by the state as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year
- B. Percent of districts identified by the state as having a significant discrepancy in the rates

Pat Reichert gave the explanation of the indicator.

The OPI has chosen to measure this indicator by comparing the rates of students with disabilities to the rates of non-disabled students within a district.

Marilyn Pearson then discussed the improvement strategies. She specifically mentioned the involvement of the MBI program and the Early Assistance Program.

Bob Runkel then spoke about the proposed targets.

Following discussion, WyAnn asked for a motion to accept the target as written. Janet Jansen made the motion. Dick Slonaker seconded the motion, and it passed by unanimous vote.

Indicator #5: Percent of children with IEPs aged 6-21:

- A. removed from regular class less than 21 percent of the day
- B. removed from regular class greater than 60 percent of the day
- C. served in public or private separate schools, residential placements, or homebound or hospital placements

Bob Runkel presented the explanation of this indicator. He reported that Montana already provides significant training and support for inclusion. The technical assistance that is provided through the Special Education Division for this target is the We Teach All program and the MBI program. Bob also

mentioned that a very significant amount of resources are spent on trying to keep students included in the regular classroom.

WyAnn asked for a motion to approve the target as written. Dave Mahon made the motion, and Bob Peake seconded it. WyAnn then opened the floor for discussion.

Discussion was held, a vote was taken and the motion to pass the target as written passed unanimously. It was mentioned that this issue might be one the Panel wants to bring up later for more discussion as to the indicator.

Indicator #6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

Dan McCarthy explained this indicator. Dan pointed out that the indicator specifically addresses only three of the seven settings of service required for the annual child count, and that 54.8 percent of children with IEPs who are 3, 4, and 5 years of age receive their special education and related services in these three most inclusive settings.

Bob Runkel then discussed the proposed targets.

Bob Peake made a motion to approve the targets as written, and Dick Slonaker seconded the motion. WyAnn then opened the floor for discussion.

Discussion was held, the vote was taken and the motion passed unanimously.

Indicator #7: Percent of preschool children with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships)
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy)
- C. Use of appropriate behaviors to meet their needs

Dan McCarthy explained this indicator. Dan indicated that Montana's schools currently do not collect information about preschool-age children and their functional performance in these areas; consequently, no baseline data currently exists to measure performance with respect to this indicator. A strategy will be implemented in the spring to begin collecting this data.

Bob Runkel stated that the targets need to be determined in the future as no baseline data is currently available. The Department of Education is looking for data to be collected beginning this spring (2006) for the baseline data.

WyAnn opened the floor for discussion.

Discussion was held, then Diana Colgrove made a motion to approve the improvement strategies by the Special Education Division, and Dave Mahon seconded. The motion was passed by a unanimous vote.

Following lunch, Coral Beck, the newest Panel member, joined the meeting. WyAnn asked that panel members introduce themselves, and then a brief overview was given. Bob Maffit joined later and the same was done for him.

Indicator #8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Marilyn gave the explanation of this indicator and stated that this was a new indicator. Therefore, there is no baseline data or targets, but we do have plans and those are what are reported on this document.

Bob Runkel mentioned that the targets are not yet determined. He mentioned that this Panel will take responsibility for helping to determine which questions will be asked in the survey and how the survey will be given. He also noted that at this point the Panel is not able to vote in favor of specific targets, they can only vote for or against the strategy the state would like to use to address this indicator.

WyAnn asked for a motion to pass the strategy for this indicator. Diana Colgrove made the motion and Bob Maffit seconded it. WyAnn then opened the floor for discussion.

Discussion was held, the vote was taken and the motion to accept the strategy was passed by unanimous vote.

Indicators focusing on Disproportionality

Indicator #9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Bob Runkel gave the explanation of this indicator. He mentioned that this is a new indicator, and that we are not permitted to do sampling. The target on this indicator is 0. Bob reported that there are occasional high levels of identification for American Indian children. The statistics state that a white child has a 10 percent chance of receiving special education and an American Indian child has a 14 percent chance of receiving special education. This does not indicate that they are necessarily misidentified. There are multiple reasons that could cause this differentiation. Bob read from pg. 48 the opening paragraph under “Definition of Disproportionate representation as a result of *“inappropriate identification.”*”

The proposed targets establish a minimum N of 10 with the intention of achieving 0 percent (within a 95 percent confidence interval) identification of LEAs with disproportionate representation of racial and ethnic groups in special education and related services resulting from inappropriate identification. This is a compliance issue which requires a standard of 0 percent of LEAs with disproportionate representation, representation of racial and ethnic groups in special education and related services resulting from inappropriate identification.

WyAnn called for a motion to pass the target as written. Dave Mahon moved to pass the target as written and Ron Fuller seconded it. WyAnn then opened the floor for discussion.

Discussion was held, a vote was taken and the motion passed by unanimous vote.

Indicator #10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Bob Runkel gave the explanation of this indicator. Bob read the fourth paragraph on page 52 to the Panel and mentioned that this indicator is intended to be sensitive to the variations that exist between racial and ethnic groups by disability types. The statistical process used for this indicator is exactly like the process for indicator #9.

This is another compliance issue and we must reach 0 percent in order to be compliant. The minimum N of 10 and the 95 percent confidence interval are again being proposed.

WyAnn called for a motion to approve the targets as written. Diana Colgrove made the motion, and Janet Jansen seconded it. WyAnn then opened the floor for discussion.

Discussion was held, a vote was taken and the motion passed by unanimous vote.

Indicators Focused on Effective General Supervision Part B

Indicator #11: Percent of districts with parental consent to evaluate who were evaluated and eligibility determined within 60 days (or state established timeline).

Marilyn Pearson explained this indicator. She mentioned that this was a new indicator, and the target must be 100 percent.

Coral Beck mentioned that it is worded in the SPP that the timeline starts when the child is referred. That should be fixed to indicate that the timeline starts from the date the parent signs the consent to evaluate.

Bob Runkel stated that a language could be added to the targets to read: 100 percent of children will have eligibility determinations completed within 60 days of receiving parental consent to evaluate.

WyAnn called for a motion to accept the targets with the added language. Bob Maffit made the motion, Dick Slonaker seconded it. WyAnn then opened the floor for discussion.

Diana Colgrove mentioned that Part C is using calendar days as their distinction because of children that turn 3 during the summer—is there anything that can be done to try to keep that in compliance without using “calendar days?” Bob Runkel suggested that we could do this by adopting a state administrative rule to define “day” for purposes of this regulation. John Copenhaver concurred that this would be an appropriate approach.

Discussion was held, a vote was taken, and the motion passed unanimously.

Indicator #12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays

Marilyn Pearson explained this indicator. She mentioned that this was not a new indicator, and does not permit sampling. This is another 100 percent compliance issue, with most of the data taken from monitoring.

WyAnn asked for a motion to approve the target as written. Dick Slonaker made the motion, and Cody Sinnott seconded it. WyAnn then opened the floor for discussion.

Discussion was held, a vote was taken and the motion passed unanimously.

Indicator #13: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Dick Trerise presented the explanation on this indicator. He mentioned that this is a new indicator which does allow for sampling, but also carries the 100 percent compliance requirement. The targets for this indicator require 100 percent compliance by OSEP.

WyAnn asked for a motion to pass the target as written. Bob Maffit made the motion, and Dick Slonaker seconded it. WyAnn then opened the floor for discussion.

Diana Colgrove wanted to know what “reasonable transition services” were. The response was that the law specifies transition discussions that must occur when the child reaches the age of 16, and requires a coordinated set of activities to be included in the IEP as needed.

Marilyn Pearson suggested a wording change to the proposed targets to read: Transition services that will reasonably enable the student to meet the post-secondary goals.

WyAnn asked for a motion to amend the original motion. Bob Maffit motioned to amend the original motion to add the wording suggested by Marilyn and pass the target. Dick Slonaker seconded the new motion. A vote was taken and the amended motion passed unanimously.

Indicator #14: Percent of youth who had IEPs, who are no longer in secondary school, and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school.

Dick Trerise gave the explanation of this indicator. He mentioned that this was a new indicator as well, and that Montana has not typically collected data on youth who are no longer in secondary education.

The targets for this indicator are still to be determined as we have no baseline data collected as of this time. The action of the Panel is to support the methodology we will be using to collect the baseline data and to acknowledge that the target will be identified once we have the baseline data.

WyAnn asked for a motion to support the methodology for this target. Diana Colgrove made the motion, and Dave Mahon seconded it. WyAnn then opened the floor for discussion.

Discussion was held, a vote was taken and the motion passed unanimously.

Indicator #15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects non-compliance as soon as possible, but in no case later than one year from identification.

Doug Doty presented the explanation on this indicator. He reported that we have two tracking systems in place. The Legal Services Division tracks complaints, mediations, due process, and EAP issues. The Special Education Division tracks results from compliance monitoring and focused interventions.

Doug then gave an overview of the Compliance Monitoring process.

Marilyn Pearson discussed the baseline data. Bob Runkel then spoke about the proposed targets for this indicator. He stated that the target is that 100 percent of the findings of non-compliance are corrected within one year from identification.

WyAnn asked for a motion to approve the proposed targets as written. Dick Slonaker made the motion, Ron Fuller seconded it, and WyAnn opened the floor for discussion. There was no discussion on this target, a vote was taken and the target passed unanimously.

Public Comment

No public comment received.

Parting comments

Bob Runkel handed out the Special Education Division's response to the recommendations from the Legislative Auditor's Office audit of the division—the response was signed this morning by Linda McCulloch. He will discuss them on Friday morning.

John Copenhaver thanked everyone and mentioned the great chemistry he can see and wishes a successful year. He mentioned the book "Good to Great"—Bob has the *right* people on the bus to make Special Education successful and Marilyn has the *right* people on the bus for the Advisory Panel.

He mentioned that OSEP has allowed us the ability to add more indicators if we see needed.

WyAnn asked for a motion that it be put in the minutes that the advisory panel does not want more indicators added to the SPP. Bob Peake made the motion, Barb Rolf seconded it, and the motion passed unanimously.

John further suggested that we have a sheet that everyone signs to signify that they did in fact participate in this meeting and were privy to the discussions held therein and motions carried.

John went through the schedule for tomorrow just briefly. He will most likely not be able to join us tomorrow and so said goodbye to all.

Bob will draft a document for the panel to sign mentioning that they have unanimously approved the 20 indicators—if they dissent on any of the three motions tomorrow, the document will be redrafted.

WyAnn asked if there was any other business. As none was presented, she asked for a motion to adjourn. Dave Mahon made the motion, Cody Sinnott seconded it, and the motion passed unanimously.

The meeting was recessed at 4:03 p.m.

Friday, November 18, 2005

Members in Attendance: WyAnn Northrop, Dave Mahon, Amy McCord, Cody Sinnott, Bob Peake, Dick Slonaker, Janet Jansen, Diana Colgrove, Barb Rolf, Ron Fuller, Coral Beck

Members Excused: Gary Perleberg, Norma Wadsworth, Bob Maffit

Non-Members in Attendance: Tim Harris, Anne Lowney, Bob Runkel, Marilyn Pearson, Mike Chapman

Chairperson WyAnn Northrop called the meeting to order at 8:30 a.m. She welcomed the Panel and guests back and mentioned that there were some housekeeping issues to attend to. Anne Lowney distributed the blue reimbursement forms. She also distributed the Teacher Renewal Unit Certificates. WyAnn mentioned that the schedule for the morning would be changed a bit to allow Bob Runkel to go over the Response to the Legislative Auditor's Report. Following that, Tim Harris will provide the annual report on complaints/due process and address the due process/mediation/complaints indicators. Bob Runkel will discuss the assessment indicator.

Response to the Legislative Auditor's Report

Bob Runkel told the Panel that the Auditor's office spent about six months in and around the Special Education Division's office conducting an audit. The audit was divided into two parts—Oversight of Special Education Services and Use of Special Education Funds. Bob explained he was mostly concerned about the funding portion as that is the part that is going to have the greatest impact on schools.

Bob stated that in the fiscal report the auditors recommended the OPI expand its analysis of program information and to report that information to the legislature during the appropriations hearings. As an example of such information, some school districts spend considerably more for special education than other school districts of the same size. In addition, the auditors were concerned that some school personnel people who were managing the budgets did not feel comfortable that they understood all the intricacies of how the budgets work. Bob stated that we have concurred with this in our response. The auditors also recommended that OPI approach the Montana Legislature to consider a bill that would establish guidance on the need for state and local fund reserves, and criteria for applying special education expenditures against federal funds prior to using state and local funds whenever possible. The concern is that some districts are carrying over 100 percent of their federal funds.

Bob then went on to discuss the services report and the auditors' recommendations for closer oversight of the compliance monitoring system and the need for more consistency in the implementation of

compliance monitoring procedures. Dick Slonaker mentioned that he thought suggestion #8 was interesting—getting rid of the REED form. Bob Runkel said that there was a lot of internal discussion on whether to contest this recommendation. The division decided that it is possible to do the review of existing evaluation data without having to use an actual form, and that we will incorporate the information into already existing forms and get rid of the REED form as recommended.

Indicators Focused on Effective General Supervision Part B/General Supervision (cont.)

Indicator #16: Percent of signed written complaints with reports issued that were resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Tim Harris presented the explanation of this indicator. He mentioned that we only received one complaint last year.

WyAnn asked for a motion to approve the proposed targets as written. Dick Slonaker made the motion, Janet Jansen seconded it, and WyAnn opened the floor for discussion.

Bob Peake wanted to know if the “exceptional circumstances” will be defined within the Administrative Rules of Montana. Tim answered no—the “exceptional circumstances” will be based on a case-by-case basis.

Diana Colgrove wanted to know how the EAP could be affected by this. Tim said that EAP fits into the first 15 of the 60 days. If EAP cannot resolve the issue, the case is turned over to the investigator for further action. In exceptional circumstances, the decision can be made to bypass the EAP 15 days and go straight to the investigation. If the complainant says up front that the complainant does not want to go through EAP, the complaint will go straight to the investigation.

Discussion was held, a vote was taken and the motion passed unanimously.

Indicator #17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline *or a timeline that is properly extended by the hearing officer at the request of either party.*

Tim Harris presented the explanation of this indicator. He mentioned that we have to have a 100 percent success rate over the next six years. He noted that OPI contracts with hearing officers require that the hearing be adjudicated within the 45-day timeline or properly extended timeline.

The targets are: 100 percent of due process hearings will be fully adjudicated within the 45-day timeline or properly extended timeline.

WyAnn asked for a motion to approve the target as written. Dave Mahon made the motion, Diana Colgrove seconded it, and the floor was opened to discussion.

Discussion was held, a vote was taken and the motion passed unanimously.

Indicator #18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

Tim Harris presented the explanation of this indicator. He mentioned that this was a new data point and that no baseline data is available.

The first year target for this indicator uses a minimum N of 10 to show that 50 percent of the resolution sessions will result in a written settlement agreement the first year. The target’s rigorous standard moves

forward until it requires that we achieve 75 percent of resolution sessions resulting in a written settlement agreement by 2010.

WyAnn asked for a motion that if OSEP requires a target, the Panel will agree to the proposed targets established by the OPI. Bob Peake made the motion, Ron Fuller seconded it, and the floor was opened for discussion.

Janet Jansen asked if the timeline needed to be changed to reflect 2005-2010 rather than 2005-2006. Marilyn answered yes and the change will be made.

Diana Colgrove asked what the difference is between a resolution session and due process. Tim responded that a resolution is the step taken between the school district and the parents to arrive at an acceptable solution. A resolution session is required at the hearing level. This is done within the first 30 days of being sent to the hearings process. After the resolution session, a school or parent can file for due process. After the hearing final order has been issued if either party does not agree with the order, an appeal can be filed in district court.

Discussion was held, a vote was taken and the motion passed unanimously.

Indicator #19: Percent of mediations held that resulted in mediation agreements.

Tim Harris presented the explanation of this indicator. He mentioned that the baseline data is 0 percent success. The OPI had one mediation, but the mediation failed because the parent did not support the mediation process. The proposed targets that have been set for this indicator use a minimum N of 10. They call for 50 percent of mediations resulting in a written settlement agreement the first year, increasing to 75 percent by 2010.

It was mentioned that the timeline needs to be changed to reflect 2005-2010.

Bob Peake asked if there is anything in the narrative as to whether the minimum N is referencing a statewide number or a district wide number. The response was that we are referencing the statewide data.

WyAnn asked for a motion to accept the targets as written. Bob Peake made the motion, and Diana Colgrove and Barb Rolf both seconded. WyAnn asked for discussion and there was none. The vote was taken and the motion passed unanimously.

Indicator #20: State-reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

Marilyn Pearson presented the explanation of this indicator. She said that in the narrative we stated that we have met designated timelines 100 percent for the past four years. The proposed targets require 100 percent compliance with getting reports to OSEP on time. WyAnn gave kudos to Marilyn and staff for that accomplishment. Marilyn reciprocated with thanks and appreciation to the districts for their promptness in getting the information in to the OPI on time.

WyAnn asked for a motion to approve the targets as written. Dick Slonaker made the motion, and Dave Mahon seconded it. WyAnn opened the floor for discussion and there was none. The vote was taken and the motion passed unanimously.

Indicator #3: Participation and performance of children with disabilities on statewide assessments:

- A. Percent of districts meeting the state's AYP objectives for progress for disability subgroup
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment

against grade level standards; alternate assessment against alternate achievement standards

- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards

Bob Runkel presented the explanation of this indicator. He explained each section independently and they were voted on together following the discussions.

Indicator #3A: Percent of districts meeting the state's AYP objectives for progress for disability subgroup.

Mike Chapman discussed the sheet that was handed out with his "AYP status count and percentage adjustments made for purposes of the State Performance Plan."

Indicator #3B: Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

Bob Runkel directed the group to look at the table on page 19, and it was mentioned that it needs to be labeled as a summary table. He stated we currently have a 98 percent participation rate in the statewide assessment. The proposed targets are based on this baseline percent.

The proposed targets call for the percentage to hold steady for the first two years, beginning to increase slightly (0.1 percent) for the next years.

Indicator #3C: Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

Bob Runkel directed the group to look at the tables on page 20. These are "roll-up" tables that rolled up all students in all grades in all districts who had IEPs.

WyAnn asked for a motion, with the corrected typographical errors, to accept the proposed targets as written. Barb Rolf made the motion, Janet Jansen seconded it, and WyAnn opened the floor for discussion.

Discussion was held, a vote was taken and the motion passed unanimously.

Discussion of State Performance Plan and Next Steps

Marilyn Pearson presented this portion and provided an overview of the Special Education Division's plans and next steps. The next steps are to fix the typos, clean up the tables, make the edits the Panel suggested and voted on, and then go back through the narratives to make sure that they meet everything that is on the checklist from OSEP. Also, the Division has asked the CSPD State Council to, as a part of their meeting, look at the improvement strategies and let us know if there are some things that we have not put in the draft document that are known/committed activities that are going to occur, and these will be included.

Final edits will be completed and proofreading will be done the following week. The SPP will be sent in to OSEP on December 2, and will then be available on our Website. Hard copies will be sent to each Advisory Panel member. OSEP has 120 days to respond to the OPI on the plan, and when that response is received, the Advisory Panel will be informed of the response. Marilyn expressed her appreciation for the work of the Special Education Division staff, Legal Services staff and the Measurement and Accountability Division staff who were instrumental in getting the information/data gathered to put together the document. She thanked the Panel again for their careful review, recommended edits, discussions and action taken on each of the performance indicators in the State Performance Plan.

Public Comment

No public comment was received.

Agenda Items for Next Meeting

Marilyn Pearson suggested that the Panel plan to meet as early in February as possible. Diana Colgrove mentioned that the joint meeting with CSPD State Council is February 9 & 10. WyAnn expressed concern as to whether the Panel could get done what it needed to do if they were going to coincide their meeting with the CSPD meeting. Marilyn Pearson says that the panel should be able to finish their items. The next Advisory Panel meeting will be tentatively scheduled for February 9-10, 2006. Marilyn Pearson will work with Susan Bailey-Anderson to schedule a meeting with the CSPD State Council.

The Panel also requested that the Panel have its spring meeting at MSDB. Marilyn will talk with Steve Gettel, Superintendent of MSDB, to determine what dates will work for such a meeting.

Proposed Agenda Items:

- Youth Court and Corrections System
- Universal Newborn Hearing Screening: Following discussion it was decided to do this in conjunction with a spring meeting at MSDB

WyAnn called for a motion to adjourn. Bob Peake made the motion, and Dave Mahon seconded it. A vote was taken and the motion passed unanimously.

The meeting adjourned at 11:45 a.m.